

**MINUTES
COLUMBUS BOARD OF ZONING APPEALS
MARCH 25, 2008
COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL
123 WASHINGTON STREET
COLUMBUS, INDIANA**

Members Present: Mary Ferdon, Chairperson; Dave Bonnell, Secretary;
Lou Marr, Jeff Sharp, and Tom Wetherald

Staff Present: Laura Thayer, Assistant Planning Director; Alan Whitted, Deputy
City Attorney; Emilie Pannell, Associate Planner; Stephanie Carr
and Bill Klakamp, Code Enforcement

PUBLIC MEETING

Mary Ferdon, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

NEW BUSINESS REQUIRING BOARD ACTION

C/DS-08-02: TODD AND TWYLA WEST

Todd and Twyla West are requesting a variance from Zoning Ordinance Section 17.42.070(A) to exceed the 42 inch height limit for a fence in a front yard by 30 inches. The property is zoned R-3 (Single Family Residential) and is located at 8089 North Harvest Court in German Township

Ms. Thayer began the meeting by addressing the board with a background summary and a visual presentation was made.

Todd and Twyla West stated their names and addresses into the record.

Mr. West said that he had gotten the wrong information from the Building and Zoning office on how far out he could build his fence. He said there must have been a miscommunication.

He said that he has had a lot of trouble with people driving through their yards, and trouble with their neighbors. Mr. West said that they would like to put his fence out 9 feet past his house so that he could sit on the front porch without the neighbor being able to see them. Mr. West said that no matter where they are at, the neighbors are checking out everything that they do and they have had 7 police calls from the neighbors for no reason.

The meeting was opened to the public.

The following letters opposing the fence was read by Ms. Ferdon: Larry Holley, Darren and April Poe, Jason Moore, Stacy Cravens, Gwen Dougherty, Lisa Bennett, Tina Goforth, Gerald and Kathy Conifer, and Kathy and Gerald Hillenburg.

Mr. and Mrs. West also wrote a letter that was placed in the record, in favor of their petition.

The meeting was closed to the public.

Lou Marr made a motion to deny **C/DS-08-02** and then withdrew her motion.

Jeff Sharp made a motion to deny **C/DS-08-02** including the provisional findings in the staff report.

Dave Bonnell seconded the motion that passed 4-0.

DOCKET C/DS-08-03: CASA VERDE

Casa Verde is a request by Michael Greven for the purpose of constructing a 20 foot wide drive aisle, 4 feet less than is required for two-way drive by Zoning Ordinance Section 17.44.030. The property is zoned B-3 (Central Business District) and is located at the southwest corner of the intersection of 11th Street and Jackson Street in the City of Columbus.

Emily Pannell began the meeting reading the background along with the provisional finding of fact. There was a visual slide presentation.

Michael Greven stated his name and address into the record and presented the case.

Mr. Greven stated that he is proposing to construct a 20 foot wide drive aisle on the west side of the property, along 11th Street. The aisle will be lined by 8 parallel parking spaces, each measuring 9 ft. x 24 ft.

Ms. Marr said that she thought Mr. Greven was premature in asking for a variance at this point in the planning stage. She said that he did not plan his site in accordance with our ordinance, and that he was trying to make our ordinance fit his plan.

Mr. Greven said they had 9 months in planning, had worked hand in hand with the Planning Department, and have not yet done anything without their cooperation.

Ms. Marr stated that she had a problem with the fact that he would be coming in again wanting another variance, and that he was asking for things that other developers are not getting. She believed that he may be coming back for the widening of the cul-de-sac.

Ms. Marr said that the phase 2 building, the northeast one, and the phase 3 building might need variances, and there is a limit to the number of variances.

The meeting was opened to the public.

There being no one to speak, the meeting was closed to the public.

Mr. Greven stated he was not aware of any other variance that they would be asking for.

He said he had made every effort to meet the spirit of the City's ordinance.

Dave Bonnell made a motion to approve the request **C/DS-08-03** to allow a reduction of 4 feet of the drive aisle to 20 feet, and concurred with the provisional findings of fact.

Jeff Sharp seconded the motion, and it passed 4-0.

FINDINGS OF FACT

The following findings of fact were presented to the Board for consideration:

AA-08-01: CCI Roofing & Insulation Systems Inc

Lou Marr made a motion to accept the findings of fact, and the motion was seconded by Jeff Sharp. It carried by a vote of 4-0.

APPROVAL OF MINUTES

Upon the motion made by Dave Bonnell and seconded by Jeff Sharp, the minutes of February 26, 2008 were approved by a vote of 4-0.

DISUSSION

There being no further business the meeting was adjourned.

Mary Ferdon, Chair

Dave Bonnell, Secretary